

## EASEMENT AND RIGHT OF WAY AGREEMENT

1  
2 THIS INDENTURE, made and entered into this 1st day of March,  
3 1978, by and between WILLIAM L. GARRIOTT and ALLISON GARRIOTT,  
4 husband and wife, hereinafter referred to as GRANTORS, and, JAMES  
5 M. BARNES and PEGGY BARNES, husband and wife, hereinafter referred  
6 to as GRANTEES,

7 WITNESSETH, that for and in consideration of the sum of TEN  
8 DOLLARS, (\$10.00), and other valuable consideration, GRANTORS, for  
9 themselves, their heirs and assigns, covenant and grant with and to  
10 GRANTEES, their heirs and assigns, that it shall be lawful for  
11 GRANTEES, their heirs and assigns and their agents, and the tenants,  
12 owners and occupants from time to time of the premises, or part  
13 thereof, now owned and held by GRANTEES, and any other person or  
14 persons, for his and their benefit, at all times to freely pass and  
15 repass by vehicle, or otherwise, through and over the presently  
16 existing graveled road located over, upon and accross the following  
17 described real property located in Klamath County, Oregon, and  
18 described as follows:

19 The SW 1/4 NW 1/4,  
20 The S 1/2 SE 1/4 NW 1/4, NE 1/4 SW 1/4, and the W 1/2 S 1/2  
SW 1/4 NE 1/4, Section 4, Township 41 South, Range 10 E.W.M.,  
Klamath County, Oregon.

21 This easement shall be perpetual and run with the land but the  
22 same shall not be exclusive.

23 GRANTEES in consideration of being granted the foregoing ease-  
24 ment and right of way shall at all reasonable and necessary times  
25 maintain the right of way commensurate with their use thereof.

26 THIS AGREEMENT shall inure to the benefit of and bind the heirs,

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1 successors and assigns of the parties hereto.

2 WITNESS the hands of the parties the day and year first herein-  
3 above set forth.

4  
5 William L. Garriott  
6 William L. Garriott

7 Allison Garriott  
8 Allison Garriott

9 James M. Barnes  
10 James M. Barnes

11 Peggy Barnes  
12 Peggy Barnes

13 STATE OF OREGON )  
14 ) ss.  
15 County of Klamath )

March 1, 1978

16 Personally appeared the within named WILLIAM L. GARRIOTT and  
17 ALLISON GARRIOTT, husband and wife, and JAMES M. BARNES and PETTY  
18 BARNES, husband and wife, and acknowledged the foregoing instru-  
19 ment to be their voluntary act and deed.

20 BEFORE ME:

21 Notary Public for Oregon  
22 My Commission expires: 0-20-81

23 STATE OF OREGON; COUNTY OF KLAMATH; ss.

24 Subscribed for record: ~~XXXXXXXXXX~~

25 this 2nd day of March

26 A.D. 1978 at 2:51 o'clock P.M. and

27 duly recorded in Vol

28 M78

29 of

30 Deeds

31 on Page 3940

32 W. D. MILNE, County Clerk

33 By Deborah A. Milne

34 Fee \$6.00

35 Return to  
36 V  
PRENTISS K. PUCKETT, P.C.  
ATTORNEY AT LAW  
FIRST FEDERAL SAVINGS  
& LOAN BUILDING  
KLAMATH FALLS, ORE.

Page (2) Easement and right of way Agreement